

FORM PTO-1083
MAIL STOP: Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



Docket No.: 222.94213CON2
Date: February 9, 2005

1621
JW

In re application of: Ronald B. MILLER, et al.
Serial No.: 09/800,204
Filed: March 6, 2001
For: CONTROLLED RELEASE TRAMADOL

Sir:

Transmitted herewith is an **Response to Notice of Non-Compliant Amendment** in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
[] A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
[X] No fee for additional claims is required.
[] A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* 27	Minus 22** =	5	x \$ 9	\$		x \$ 50	\$ 0.00
INDEP. CLAIMS	* 1	Minus 3*** =	0	x \$ 42	\$		x \$ 84	\$
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$140	\$		+ \$280	\$

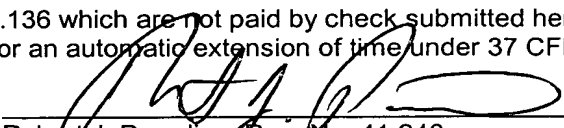
TOTAL: \$ OR TOTAL: \$0.00

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- [] Also transmitted herewith are:
[] Petition for extension under 37 C.F.R. 1.136 (1 page)
[] Other:

[] Check(s) in the amount of \$0.00 is/are attached to cover:
[] Filing fee for additional claims under 37 C.F.R. 1.16
[] Petition fee for extension under 37 C.F.R. 1.136
[] Other:

[X] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
[X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
[X] Any patent application processing fees under 37 C.F.R. 1.17.
[X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.


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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on February 9, 2005.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:


Guendoline Decosta